

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

F. L. HEYWOOD,

Plaintiff,

v.

CELL THERAPEUTICS, INC., *et al.*,

Defendants.

CASE NO. C05-0396RSM

ORDER RE-NOTING MOTIONS FOR  
LEAD PLAINTIFF

Having further reviewed the instant case, this Court has determined that portions of the Court's Order granting consolidation and striking the pending motions for lead plaintiff (Dkt. #56) were entered in error, and that the plaintiffs' motions for lead plaintiff should be replaced on the Court's calendar for consideration. Accordingly, the Court does hereby ORDER:

(1) The parties' requests to appoint lead counsel and for preservation of documents (Dkts. #3, #8, #10, #16, #20 and #28) shall be replaced on the Court's motion calendar, and shall be NOTED for consideration on Friday, June 10, 2005. Because these motions were previously noted for consideration on May 27, 2005, it appears that all briefing is complete and no further briefing is necessary at this time.

(2) The parties shall disregard the Court's previous instruction that the requests to appoint lead counsel and for preservation of documents shall be considered only when the parties move this

1 Court to certify the class. (*See* Dkt. #56 at 2). However, all other provisions of the Court's previous  
2 Order shall remain the same.

3 (3) The Clerk SHALL send a copy to all counsel of record.  
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5 DATED this 8th day of June, 2005.

6 /s/ Ricardo S. Martinez  
7 RICARDO S. MARTINEZ  
8 United States District Judge  
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